

Notice of Allowability

Application No.

10/724,486

Examiner

Joseph L. Perrin, Ph.D.

Applicant(s)

CANTRELL ET AL.

Art Unit

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Divisional application filed 26 November 2003.
2. ☒ The allowed claim(s) is/are 1.
3. ☒ The drawings filed on 26 November 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached.
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20040614.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT & STATEMENT OF REASONS FOR ALLOWANCE

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Bryan Stanley on 14 June 2004.
3. The application has been amended as follows:

Claim 1:

Delete claim 1 and insert therefor:

A method of washing utensils in a pot and pan washing machine, the pot and pan washing machine including a wash tank, the wash tank including a plurality of nozzles each supplying a jet stream of water within the wash tank, each jet stream deflecting from at least one wall of the wash tank to provide a washing action, said method comprising the steps of:

isolating a portion of the wash tank wherein at least one of the plurality of nozzles is located in said isolated portion of the wash tank and at

least one other of the plurality of nozzles is located in a non-isolated portion of the wash tank; and
capturing at least a substantial portion of the jet stream from the at least one of the plurality of nozzles within said isolated portion of the wash tank while at least substantially maintaining the jet stream deflection of the washing machine to provide a washing action within said isolated portion of the wash tank.

Allowable Subject Matter

4. The following is an examiner's statement of reasons for allowance: the closest prior art of record, US 5,927,309 to Hoover *et al.*, fails to teach each and every limitation of the instant invention. Specifically, Hoover *et al.* fail to teach or suggest the claimed washing method in a wash tank having nozzles located in an isolated portion and non-isolated portion, the method including the step of capturing jet stream from a nozzle in the isolated portion to create a washing action, which is disclosed as an essential element of claimed invention, as described in claim 1.
5. For at least the foregoing reasons, claim 1 is believed to recite patentable subject matter.
6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US 5,287,984 to Michael, which discloses deflecting washing spray in a utensil basket;

US 5,069,360 to Dingler, which discloses a washing utensil basket with solid walls;

US 4,223,083 to Roberts, which discloses a washing utensil basket with substantially solid walls;

US 3,288,155 to Swetnam, which discloses a washing utensil basket with solid walls.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph L. Perrin, Ph.D. whose telephone number is (571)272-1305. The examiner can normally be reached on M-F 7:00-4:30, except alternate Fridays.

9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy P. Gulakowski can be reached on (571)272-1302. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1746

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph L. Perrin, Ph.D.
Examiner
Art Unit 1746

jlp

FRANKIE L. STINSON
PRIMARY EXAMINER
GROUP 3400-1700

